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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

11 UNITED STATES OF AMERICA,  
12  
13 Plaintiff,  
14  
15 v.  
16 PETER HE,  
Defendant.

Case No.: CR 08-0238 MHP

**STIPULATION AND [PROPOSED] ORDER RE  
SENTENCING AND PSR**

17 This case was previously set for sentencing on Monday, September 13, 2010, at 9:00  
18 a.m. In order to provide the Probation Officer and counsel with the additional time they require  
19 to complete pretrial investigations and prepare the initial Presentence Report (PSR), the  
20 parties stipulate and request that the Court continue the sentencing in this case until Monday,  
21 November 15, 2010, at 9:00 a.m.

22 The Probation Officer in this case, Insa Bel'Ochi, is available on the proposed date.

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1 Additionally, the parties agree that defense counsel may have access to the  
2 Presentence Report prepared for defendant He's prior conviction which in the possession of  
3 the U.S. Probation Office. Probation Officer Bel'Ochi, concurs that defense counsel should  
4 have access to this document.

5 SO STIPULATED:

MELINDA HAAG  
United States Attorney

8 Dated: September 8, 2010

\_\_\_\_\_/s/\_\_\_\_\_  
OWEN MARTIKAN  
Assistant United States Attorney

11 Dated: September 8, 2010

\_\_\_\_\_/s/\_\_\_\_\_  
EDWIN PRATHER  
Attorney for Defendant  
PETER HE

15 **[PROPOSED] ORDER**

16 GOOD CAUSE APPEARING and per the parties' stipulation, the sentencing  
17 hearing in this case is hereby continued until November 15, 2010, at 9:00 a.m.

18 Additionally, in preparation for the sentencing hearing, defense counsel may have  
19 a copy of the PSR previously written for and used in Mr. He's prior federal conviction.

21 IT IS SO ORDERED.

22 Dated: 9/10/2010

